

Response to Office Action dated May 19, 2005

Serial No. 10/614,750 – Weinfurtner et al.

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REMARKS

Entry of the amendments is respectfully requested. Claims 1-3, 7, 11, 12, 14-16, 25, 27 and 28 have been amended. Claims 1-28 are pending in the application. Favorable reconsideration and allowance of this application is respectfully requested in light of the foregoing amendments and the remarks that follow.

1. Information Disclosure Statement

In the Office Action, the Examiner noted that a complete copy of the French reference FR 2748962 was not provided with the Applicants' IDS filed on 10/20/03. Attached hereto is a complete copy of FR 2748962. Applicant further submits a supplemental IDS with one additional reference WO 85/001241.

2. Rejections Based on the Prior Art

a. Recapitulation of the Invention¹

The invention relates to a device and method for the separation of plastic cards from a sheet or strip material. In one embodiment the device includes at least two sets of upper and lower cutting tools for defining a cutting outline. The upper and lower cutting tools of each set are designed to cut into a corresponding upper and lower side of a sheet or strip material, while retaining a residual cross-piece. The two sets of cutting tools are located next to each other and are operable to simultaneously separate several plastic cards from one another in one cutting and

¹ This Section 2a is intended to provide the Examiner with some background information on the state of the art applicants' contribution to it. It is *not* intended to distinguish specific claim for the prior art. That task is performed in Section 2c below.

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separating operation. As a result of the simultaneous separation of several plastic cards from the same sheet or strip material in a single cutting and separating operation, separation of the sheet or strip material into individual strips is not necessary, and the amount of scrap material from the sheet or strip material is significantly limited.

In another embodiment, a device for the separation of a plastic card from a sheet or strip material includes ventilation for the air present or enclosed between the pressure stamp and the plastic card to limit a pressure difference between the pressure of the air present between the pressure stamp and the plastic card during the separation process to a predetermined value. The ventilation system significantly limits the suction effect from the pressure stamp moving back after the separation of the plastic cards and prevents the plastic cards from being sucked up and blown around by the return movement of the pressure stamp.

b. Rejections Under 35 U.S.C. § 112

Claims 1-28 stand rejected under 35 U.S.C. § 112, ¶2, as allegedly being indefinite because the Examiner contends that the term “especially chip cards...” is vague in that it is not clear what it encompasses. Claim 1 has now been amended to remove this limitation and more clearly specify the claimed invention. Withdrawal of the rejection under 35 U.S.C. § 112, ¶2, is believed to be in order and is respectfully requested.

c. Rejections Under § 102(b)

Claims 1-28 stand rejected under 35 U.S.C. §102(b) as being anticipated by PCT Application No. WO 00/59725 to McGeehan et al. (the McGeehan application). Applicants

respectfully traverse the rejection because, as is discussed below, the McGeehan application does not disclose each and every element of the novel subject matter disclosed and set forth in the claims. Therefore, reconsideration is in order and is respectfully requested.

Claims 1-14 and 25-28

Independent claim 1 recites a device for the separation of plastic cards from a sheet or strip material. The device includes at least two sets of upper and lower cutting tools each defining the cutting outline. The upper and lower cutting tools are designed to cut into a corresponding upper and lower side of the sheet or strip material, while retaining a residual cross-piece. As claimed, the two sets of cutting tools are located next to each other and are operable to simultaneously separate several plastic cards from the sheet or strip material in one cutting and separating operation. In a similar manner, claim 25 recites a method for the separation of plastic cards utilizing the device of claim 1. The method includes the step of pressing out of the plastic cards from the sheet or strip material such that at least two plastic cards are separated forcibly coupled out from the sheet or strip material at the same time.

The McGeehan application relates to a method of stamping a part from an elongated strip. As illustrated by Figs. 3 and 4, the disclosed apparatus includes symmetrically aligned top and bottom punches (46, 48, 50, 52) including material displacement edges (66, 66', 72, 72') corresponding to the shape of the desired part. The material displacement edges are defined by rake surfaces (62, 62', 68, 68') and part interface surfaces (64, 64', 70, 70'). The symmetrically aligned top and bottom punches are utilized in the first step of a two step stamping process which forms a single part at a time. In a first or partial stamping step, the strip is cut by top and bottom punches to form grooves corresponding to inner and outer relief patterns (FIG. 1A). During the

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second step or stamping operation, the strip is placed onto a separate die such that the shearing edges of the die engage the grooves and a punch is driven toward the die to separate a single part from the sheet.

Contrary to the Examiner's assertions, the McGeehan application does not disclose a device capable of simultaneously separating several plastic cards from the same sheet or strip material in one cutting and separating operation using the same device as recited in claim 1, nor does it disclose a method using the claimed device wherein at least two cards are separated from the same sheet or strip material at the same time as recited in claim 25. The separation of the part is instead performed in a separate step at a separate punch out station using another mechanism such as a punch and/or a die. As stated in the McGeehan application, following the partial stamping out operation, “[t]he strip 10 is then preferably moved to a punch-out station at which the part 92 is removed from the strip 10, as shown in FIG. 6. In one preferred embodiment, the punch-out station includes a punch 110 and a die 112.” (Pg. 15, lines 30-33). Clearly, the McGeehan application does not disclose each and every element of claim 1 or 25. Accordingly, Applicants respectfully request withdrawal of the rejection.

Dependent claims 2-14 and 26-28 are believed to be in condition for allowance for incorporating by reference the limitations of claim 1 and 25 respectively and for defining additional features of the invention, which, when considered in combination with those of claims 1 and 25, are not anticipated by the prior art relied upon in the rejection.

Claims 15-24

Independent claim 15 recites a device for the separation of at least one plastic card from a sheet or strip material. The device includes upper and lower cutting tools defining a cutting

outline. The tools are designed to cut into a corresponding upper and lower sides of the sheet or strip material, while retaining a residual cross-piece. The device includes a pressure stamp that can plunge into the cutting outline for separating out the cut plastic card from the sheet or strip material. Additionally, claim 15 recites that ventilation is provided for the air present or enclosed between the pressure stamp and the plastic card to limit a pressure difference between the pressure of the air present between the pressure stamp and the plastic card and the ambient pressure during the separation process to a predetermined value.

The claimed ventilation system provides a significant advantage over the prior art. The ventilation system significantly limits the suction effect from the pressure stamp moving back after the separation of the plastic cards. This prevents the plastic card from being sucked up and blown around by the return movement of the pressure stamp and counters the resulting risk of a disruption of the production sequence through the tilting of the plastic card with the sheet or strip material following behind.

Contrary to the Examiner's assertions, the McGeehan application does not disclose a device having ventilation for the air present or enclosed between the pressure stamp and the plastic card to limit a pressure difference between the pressure of the air present between the pressure stamp and the plastic card and the ambient pressure during the separation process to a predetermined value as recited in claim 15. As illustrated in Fig. 6 of the McGeehan application, the punch 110, die 112 and strip 10 do not have *any* ventilation mechanism formed between them. To the contrary, a tight fit is formed between the flat punch 110 and the strip 10. There is simply no disclosure, express or implied, of the claimed ventilation.

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Clearly, the McGeehan application does not disclose each and every element of claim 15.

Accordingly, Applicants respectfully request withdrawal of the rejection.

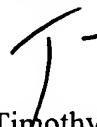
Dependent claims 16-24 are believed to be in condition for allowance for incorporating by reference the limitations of claim 15 and for defining additional features of the invention, which, when considered in combination with those of claims 15, are not anticipated by the prior art relied upon in the rejection.

CONCLUSION

It is submitted that claims 1-28 are in compliance with 35 U.S.C. §§ 102 and 112 and each define patentable subject matter. A Notice of Allowance is therefore respectfully requested.

No fees are believed to be payable with this communication. Nevertheless, should the Examiner consider any fees to be payable in conjunction with this or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



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